

1. Initial Expert Designation & Report – October 22, 2011;
2. Responsive Expert Designation & Report – November 21, 2011;
3. Rebuttal Expert Designation & Report, 30 days after disclosure by other party;
4. Deadline for Expert Objections – May 16, 2012;
5. Deadline for Dispositive Motions – February 20, 2011;
6. Deadline for Mediation – December 21, 2011;
7. Deadline for Completion of Discovery - January 21, 2012;
8. Deadline for Pretrial Disclosures and Objections – May 10, 2012, Objections due 14 days thereafter;
9. Deadline for Pretrial Materials (pretrial order etc.) – May 10, 2012;
10. Exchange of Exhibits – June 5, 2012;
11. Pretrial Conference – To be set if necessary;
12. Trial Date - June 20, 2012.

The parties respectfully move the Court to extend all of the deadlines set forth in the Court's Scheduling Order to the following deadlines:

13. Initial Expert Designation & Report – **February 20, 2012;**
14. Responsive Expert Designation & Report – **March 20, 2012;**
15. Rebuttal Expert Designation & Report, 30 days after disclosure by other party;
16. Deadline for Expert Objections – **September 13, 2012;**

17. Deadline for Dispositive Motions – **June 19, 2012;**
18. Deadline for Mediation – **April 20, 2012;**
19. Deadline for Completion of Discovery - **May 16, 2012;**
20. Deadline for Pretrial Disclosures and Objections – **September 7, 2012;** Objections due
14 days thereafter
21. Deadline for Pretrial Materials (pretrial order etc.) – **September 7, 2012;**
22. Exchange of Exhibits – **October 3, 2012;**
23. Pretrial Conference – To be set if necessary;
24. Trial Date - **October 18, 2012.**

II.

PURPOSE OF THE REQUEST FOR EXTENSION

The parties have jointly filed this motion for the extension of certain deadlines set forth in the prior Scheduling Order. While the parties have completed the Initial Disclosure process and have commenced written discovery, the parties require additional time for discovery not only to ensure compliance with the written discovery requests but to also take depositions. Unfortunately, progress has been hampered primarily because of serious health issues of counsel for Plaintiff. These health concerns have made it impossible for her to participate in discovery and prosecute this cause as she typically would in the absence of these health concerns. Because of the seriousness of the health issues, as well as the confidential nature of such issues, said issues are not being disclosed on PACER. However, should the Court so request and grant permission, in order to guide the Court, counsel for the Plaintiff is more than willing to file a Status Report under seal promptly relating to those health issues and their impact on scheduling. In addition, the Defendant has new counsel as on October 5, 2011, Natalia Oehninger, Esquire, filed a notice of appearance on behalf of Defendants in substitution of Defendants' former counsel who withdrew to pursue a new employment opportunity.

This Joint Motion is made so that the interest of justice may be served and not solely for the purpose of delay. Allowing for further discovery will give both sides the opportunity to assess the case more fully including pre-mediation assessment.

For the reasons stated herein, Plaintiff Lacina and Defendants Merrill Lynch respectfully pray that the above-referenced deadlines be extended. The parties also seek all such other relief which the Court deems just.

Respectfully Submitted,

/s/ Janette Johnson

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